



Demovsky Lawyer Service

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and Process Service Company

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re REFCO, INC. SECURITIES LITIGATION

Case No. 07-md-1902 (GEL)

This Document Relates To:

KENNETH M. KRYS and CHRISTOPHER
STRIDE, as JOINT OFFICIAL LIQUIDATORS
of SPHINX LTD., SPHINX STRATEGY FUND
LTD.;

Case No. 08-cv-3065 (GEL)

SPHINX PLUS SPC LTD., SPHINX
DISTRESSED LTD., SPHINX MERGER
ARBITRAGE LTD.; SPHINX SPECIAL
SITUATIONS LTD., SPHINX MACRO LTD.;
SPHINX LONG/SHORT EQUITY LTD.;
SPHINX MANAGED FUTURES LTD.; SPHINX
EQUITY MARKET NEUTRAL LTD.; SPHINX
CONVERTIBLE ARBITRAGE LTD.; SPHINX
FIXED INCOME ARBITRAGE LTD.; SPHINX
DISTRESSED FUND SPC; SPHINX MERGER
ARBITRAGE FUND SPC; SPHINX SPECIAL
SITUATIONS FUND SPC; SPHINX MACRO
FUND SPC; SPHINX LONG/SHORT EQUITY
FUND SPC; SPHINX MANAGED FUTURES
FUND SPC; SPHINX EQUITY MARKET
NEUTRAL FUND SPC; SPHINX

Case No. 08-cv-3086 (GEL)

AFFIDAVIT OF SERVICE

CONVERTIBLE ARBITRAGE FUND SPC;
SPHINX FIXED INCOME ARBITRAGE FUND
SPC; PLUSFUNDS MANAGED ACCESS FUND
SPC LTD.; KENNETH M. KRYS and
CHRISTOPHER STRIDE as assignees of claims
assigned by MIAMI CHILDREN'S HOSPITAL
FOUNDATION, OFI, GREEN & SMITH
INVESTMENT MANAGEMENT LLC, THALES
FUND MANAGEMENT LLC, KELLNER
DILEO & CO., LLC, MARTINGALE ASSET
MANAGEMENT LP, LONGACRE FUND
MANAGEMENT LLC, ARNHOLD & S.
BLEICHROEDER ADVISERS LLC, PICTET &
CIE, RGA AMERICA REINSURANCE
COMPANY, DEUTSCHE BANK (SUISSE) SA,
ARAB MONETARY FUND, HANSARD
INTERNATIONAL LTD., CONCORDIA
ADVISORS LLC, GABELLI SECURITIES, INC.,
CITCO GLOBAL CUSTODY; and JAMES
P. SINCLAIR as Trustee of the SPHINX TRUST,

Plaintiffs,

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-against-

CHRISTOPHER SUGRUE; MARK
KAVANAGH; BRIAN OWENS;
PRICEWATERHOUSECOOPERS L.L.P.; MARI
FERRIS; PRICEWATERHOUSECOOPERS
CAYMAN ISLANDS; GIBSON, DUNN &
CRUTCHER LLP; REFCO ALTERNATIVE
INVESTMENTS LLC; GRANT THORNTON
LLP; MARK RAMLER; ERNST & YOUNG U.S.
LLP; MAYER BROWN LLP f/k/a MAYER
BROWN ROWE & MAW LLP; JOSEPH
COLLINS; EDWARD S. BEST; PAUL KOURY;
PHILLIP R. BENNETT; ROBERT C. TROSTEN;
TONE GRANT; SANTO MAGGIO; THOMAS
HACKL; DENNIS KLEJNA; BAWAG P.S.K.
BANK FUR ARBEIT UND WIRTSCHAFT UND
OSTERREICHISCHE POSTPARKASSE
AKTIENGESELLSCHAFT; JP MORGAN
CHASE & CO.;
CREDIT SUISSE SECURITIES
(USA) LLC f/k/a CREDIT SUISSE FIRST
BOSTON LLC; BANC OF AMERICA
SECURITIES LLC; THOMAS H. LEE
PARTNERS, L.P.; THOMAS H. LEE
ADVISORS, LLC; THL MANAGERS V, LLC;
THL EQUITY ADVISORS V, L.P.; THOMAS H.
LEE EQUITY FUND V, L.P.; THOMAS H. LEE
PARALLEL FUND V, L.P.; THOMAS H. LEE
EQUITY (CAYMAN) FUND V, L.P.; THOMAS
H. LEE INVESTORS LIMITED PARTNERSHIP;
1997 THOMAS H. LEE NOMINEE TRUST;
THOMAS H. LEE; DAVID V. HARKINS;
SCOTT L. JAECKEL; SCOTT A. SCHOEN;
WILLIAM T. PIGOTT; LIBERTY CORNER
CAPITAL STRATEGIES, LLC; EMF
FINANCIAL PRODUCTS LLC; EMF CORE
FUND LTD.; DELTA FLYER FUND LLC; ERIC
M. FLANAGAN; INGRAM MICRO, INC.; CIM
VENTURES, INC.; BECKENHAM TRADING
CO., INC.; ANDREW KRIEGER; COAST
ASSET MANAGEMENT, LLC, f/k/a COAST
ASSET MANAGEMENT LP; CS LAND
MANAGEMENT LLC; CHRISTOPHER
PETTIT; and REFCO GROUP HOLDINGS,
INC.; and REFCO ASSOCIATES, INC.,

Defendants

STATE OF NEW YORK)
S.S.
COUNTY OF SULLIVAN)

DLS, Inc.
81 Broadway
10th Floor
NY, NY 10013
212-925-1230
www.dlsny.com

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ARNOLD M. SHAPIRO, being duly sworn, deposes and says that he is over the age of eighteen years, is an agent of the attorney service, D.L.S., Inc., and is not a party to this action.

That on the 11th day of April, 2008, at approximately the time of 6:49 PM, deponent attempted to serve a true copy of the FEDERAL SUMMONS ISSUED AND PLAINTIFF'S DEMAND FOR JURY TRIAL IN CIVIL ACTIONS 08-cv-3065 and 08-cv-3086; NOTICE OF REMOVAL FILED BY DEFENDANT BAWAG, 08-cv-3065; NOTICE OF REMOVAL FILED BY VARIOUS DEFENDANTS, 08-cv-3086; SUMMONS AND COMPLAINT FOR THE ACTION COMMENCED IN NEW YORK SUPREME COURT; PLAINTIFFS' STATEMENT PURSUANT TO BANKRUPTCY RULE 9027, 07-md-1902 and 08-cv-3065; PLAINTIFFS' STATEMENT PURSUANT TO BANKRUPTCY RULE 9027, 07-md-1902 and 08-cv-3086; NOTICE OF APPEARANCE FOR DAVID MOLTON, 07-md-1902 and 08-cv-3065; NOTICE OF APPEARANCE FOR ANDREW DASH, 07-md-1902 and 08-cv-3065; NOTICE OF APPEARANCE FOR DAVID MOLTON, 07-md-1902 and 08-cv-3086; AND NOTICE OF APPEARANCE FOR ANDREW DASH, 07-md-1902 and 08-cv-3086 upon ANDREW KRIEGER at 4078 Shandee Road, Livingston Manor, NY, but there was no answer at that address. This property is gated with a call box. Deponent rang the call box and received no response.

That on the 12th day of April, 2008, at approximately the time of 9:22 AM, deponent again attempted to serve a true copy of the FEDERAL SUMMONS ISSUED AND PLAINTIFF'S DEMAND FOR JURY TRIAL IN CIVIL ACTIONS 08-cv-3065 and 08-cv-3086; NOTICE OF REMOVAL FILED BY DEFENDANT BAWAG, 08-cv-3065; NOTICE OF REMOVAL FILED BY VARIOUS DEFENDANTS, 08-cv-3086; SUMMONS AND COMPLAINT FOR THE ACTION COMMENCED IN NEW YORK SUPREME COURT; PLAINTIFFS' STATEMENT PURSUANT TO BANKRUPTCY RULE 9027, 07-md-1902 and 08-cv-3065; PLAINTIFFS' STATEMENT PURSUANT TO BANKRUPTCY RULE 9027, 07-md-1902 and 08-cv-3086; NOTICE OF APPEARANCE FOR DAVID MOLTON, 07-md-1902 and 08-cv-3065; NOTICE OF APPEARANCE FOR ANDREW DASH, 07-md-1902 and 08-cv-3065; NOTICE OF APPEARANCE FOR DAVID MOLTON, 07-md-1902 and 08-cv-3086; AND NOTICE OF APPEARANCE FOR ANDREW DASH, 07-md-1902 and 08-cv-3086 upon ANDREW KRIEGER at 4078 Shandee Road, Livingston Manor, NY, but there was no answer to the call box at that address.



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That on the 14th day of April, 2008, at approximately the time of 11:02 AM, deponent again attempted to serve a true copy of the FEDERAL SUMMONS ISSUED AND PLAINTIFF'S DEMAND FOR JURY TRIAL IN CIVIL ACTIONS 08-cv-3065 and 08-cv-3086; NOTICE OF REMOVAL FILED BY DEFENDANT BAWAG, 08-cv-3065; NOTICE OF REMOVAL FILED BY VARIOUS DEFENDANTS, 08-cv-3086; SUMMONS AND COMPLAINT FOR THE ACTION COMMENCED IN NEW YORK SUPREME COURT; PLAINTIFFS' STATEMENT PURSUANT TO BANKRUPTCY RULE 9027, 07-md-1902 and 08-cv-3065; PLAINTIFFS' STATEMENT PURSUANT TO BANKRUPTCY RULE 9027, 07-md-1902 and 08-cv-3086; NOTICE OF APPEARANCE FOR DAVID MOLTON, 07-md-1902 and 08-cv-3065; NOTICE OF APPEARANCE FOR ANDREW DASH, 07-md-1902 and 08-cv-3065; NOTICE OF APPEARANCE FOR DAVID MOLTON, 07-md-1902 and 08-cv-3086; AND NOTICE OF APPEARANCE FOR ANDREW DASH, 07-md-1902 and 08-cv-3086 upon ANDREW KRIEGER at 4078 Shandee Road, Livingston Manor, NY, but there was no answer to the call box at that address.

At that time, therefore, deponent served a true copy of the foregoing papers upon ANDREW KRIEGER by firmly affixing same conspicuously on the base of the call box at the front entrance gate, at that address, the actual place of residence.

Arnold M. Shapiro
PROCESS SERVER
ARNOLD M. SHAPIRO

Sworn to before me this
29th day of April, 2008

Dorothy A. Conklin
NOTARY PUBLIC

DOROTHY A. CONKLIN
Notary Public, State of New York
Sullivan County Clerk's No. 46
Commission Expires 6-9-11